

**REMARKS**

This response is submitted in reply to the outstanding Office Action dated May 6, 2009. Claims 1-12 currently stand rejected.

Applicants have amended independent claims 1, 5, and 7 for clarity. Claims 4 and 6 were amended to improve their form. No new matter has been added by the amendment.

In light of the amendments and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present invention.

**Claim Rejections - 35 USC §112**

Claim 5 currently stand rejected under 35 U.S.C. §112, second paragraph, for failing to include proper antecedent basis for the phrase "the information". Applicants have deleted the word "the" in order to cure the above noted deficiency. Accordingly, Applicants respectfully submit that the rejection of claim 5 for failing to include proper antecedent basis is overcome.

**Claim Rejections - 35 USC §103**

Claims 1-5 and 7-12 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over Buhrmann et al. (U.S. Patent No. 5,950,125, hereinafter "Buhrmann") in view of Takeshi et al. (JP 09-130861, hereinafter "Takeshi"). Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Buhrmann in view of Takeshi and further in view of Alperovich et al. (U.S. Patent No. 5,819,180, hereinafter "Alperovich").

The claimed invention relates to the provision of a change in service selection to a mobile station in response to an indication in the form of a message provided by the mobile station to indicate that the mobile station has arrived in a particular localized service area. Applicants previously indicated that the message providing the indication is generated separately from obligatory location updates performed when roaming in cells of a cellular radio network.

The Office Action admits, and Applicants agree, that Buhrmann fails to teach or suggest any message being generated separately from obligatory location updates performed when roaming in cells of a cellular radio network. Accordingly, the Office Action cited Takeshi (specifically paragraphs 15 and 19 of Takeshi) as curing the admitted deficiency of Buhrmann.

Takeshi is directed to a system for supplying services to a user in real time by preliminarily loading service information in a mobile terminal. According to Takeshi, the user inputs the present location and destination into the terminal and the terminal communicates that information to an information server (Abstract and paragraph 19). The information server uses the provided information that the user input to provide service information to the terminal (Abstract and paragraph 19). Thus, in Takeshi, any message provided by the mobile terminal to the information server requires user action by virtue of the user inputting the present location and destination.

To the contrary, the present application is related to the provision of information on user location without action by the user. In this regard, for example, as stated at page 5, lines 32-33 and page 7, lines 28-29 of the amended specification, it is clearly indicated that the mobile station acts "by itself" with respect to generating information regarding its location. Applicants have amended independent claims 1, 5 and 7 in order to clarify that the message providing the indication or notification of mobile station arrival in a particular localized service area is generated without action by the user.

Since Takeshi requires user input for generation of messages regarding present location of the terminal, and Buhrmann provides no disclosure at all regarding generation of messages by the mobile terminal to indicate location of the terminal, both Takeshi and Buhrmann fail to teach or suggest any message, notification or indication of mobile station arrival in a localized service area that is generated without action by a user of the mobile station as generally set forth in independent claims 1, 5 and 7. Accordingly, independent claims 1, 5 and 7 are patentable over Buhrmann and Takeshi, alone or in combination.

Alperovich fails to cure the above noted deficiencies of Buhrmann and Takeshi and is not cited as such. Accordingly, independent claims 1, 5 and 7 are patentable over all the cited references, alone or in combination. Claims 2-4, 6 and 8-12 depend either directly or indirectly from respective ones of independent claims 1, 5 and 7 and therefore include all the recitations of their respective independent claims. Dependent claims 2-4, 6 and 8-12 are therefore patentable over the cited references for at least the same reasons given above for independent claims 1, 5 and 7.

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Accordingly, for all the reasons stated above, Applicants respectfully submit that the rejections of claims 1-12 are overcome.

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### **CONCLUSION**

In view of the amendment and remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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